

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION**

UNITED STATES OF AMERICA

vs.

CAUSE NO. A-16-MJ-721

AMMON COVINO

ORDER OF DETENTION PENDING TRIAL

In accordance with FED. R. CRIM. P. 32.1(a)(6), and 18 U.S.C. § 3143(a)(1), a detention hearing has been held. I conclude from the credible testimony and information submitted at the hearing that the defendant has failed to establish by clear and convincing evidence that he would not pose a danger to the safety of any person or the community, and thus that the defendant should be detained pending his further hearings.

My reasons for this conclusion are that this is the second time the defendant is accused of violating his conditions of release, and doing so in essentially the same manner as the first instance. The evidence presented indicates that the defendant was deceptive with his supervising officer about the reasons for travel, and after receiving approval to travel he changed his flight plans and made an 8 hour layover in Las Vegas for the purpose of visiting an aquarium under construction, and then visited a second aquarium under construction in Utah, at his ultimate destination. These activities appear to be clear violations of the conditions of the defendant's supervision, and the defendant was well aware of this, as he lied about the purposes of his travel and concealed these visits from his supervising officer.

Given that the defendant was detained after his last arrest on a petition alleging violations of his supervised release, and that he was revoked after having been found to have violated his conditions, and yet he continued to engage in the very same sort of activity upon resuming supervision, the court concludes by clear and convincing evidence that there are no conditions that the court could set that would assure that the defendant would abide by his conditions of supervision, and not violate the law.

Directions Regarding Detention

The defendant is committed to the custody of the Attorney General or his designated representative for confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal. The defendant shall be afforded a reasonable opportunity for private consultation with defense counsel. On order of a court of the United States or on request of an attorney for the Government, the person in charge of the corrections facility shall deliver the defendant to the United States Marshal for the purpose of an appearance in connection with a court proceeding.

Date: October 4, 2016



Andrew W. Austin
United States Magistrate Judge